

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 96-260-S - ORDER NO. 96-663
SEPTEMBER 24, 1996

| | | | |
|--------|--|---|---------------|
| IN RE: | Requests of Midlands Utility, Inc. for |) | ORDER |
| | Approval of Extension of Service Area |) | APPROVING |
| | in order to Provide Service to Certain |) | EXTENSIONS OF |
| | Parcels located on U.S. Hwy. #1 in |) | SERVICE AREA |
| | Lexington County, South Carolina. |) | |

This matter comes before the Public Service Commission of South Carolina ("the Commission") on the requests from Midlands Utility, Inc. ("Midlands" or "the Company") for approval of extensions of its service area in order to provide service to three business located on U.S. Highway 1 in Lexington County, South Carolina. Midlands' requests were filed pursuant to 26 S.C. Code Ann. Regs. 103-504 (1976) and 26 S.C. Code Ann. Regs. 103-821 (1976).

On August 9, 1996, Midlands filed its request that it be allowed to serve two commercial properties on U.S. Highway 1 in Lexington County. Midlands states that it has been requested to provide sewer service to the two parcels. One of the parcels is located on the Northwest corner U. S. Highway 1 and Oak Drive where a Blockbuster Video store is located. A letter from Alec H. Chaplin requesting Midlands' service of this parcel of property is attached to Midlands' filing. The second parcel is located at 4439 Augusta Road (U.S. Highway 1). A Kentucky Fried Chicken

Restaurant is located on this second parcel. A letter from Alan Sturkie, President of Operations for Sylvan Food Systems, in which Mr. Sturkie requests sewer service from Midlands accompanies the filing.

On August 22, 1996, Midlands filed a request that it be allowed to provide sewer service to a parcel of property on the south side of U.S. Highway 1 near I-26 in Lexington County on which a new Lowe's Home Center is to be located. (Midlands also refers to this parcel of property as the Judy property.) Attached to Midlands' request is a copy of a letter from Barbara A. Schnupp of Isom Associates, P.A. in which Ms. Schnupp requests that Midlands provide sewer service to this parcel of property.

In both filings, Midlands requests that the public notice and hearing be waived.

The Commission acknowledges that Midlands is a corporation organized and existing under the laws of the State of South Carolina and is a public utility within the meaning of S.C. Code Ann. §58-5-10 (Supp.1995). As a public utility operating in the State of South Carolina, Midlands is subject to the jurisdiction of this Commission pursuant to S.C. Code Ann. §58-5-10 et seq. (1976), as amended. Midlands was previously granted a service area by this Commission, and rates and charges for sewer service have heretofore been approved by this Commission.

Upon a thorough review of the matters contained in the Application and the applicable law, the Commission finds and concludes that the notice and hearing in this matter should be

waived and that Midlands' requests for extensions of its service area to allow Midlands to serve the parcels of property herein described and located in Lexington County should be granted. The owners or managers of the properties in question requested service from Midlands and therefore have notice of Midlands' requests for extensions of service area to serve the properties. As no other property owners are affected by Midlands requests, the Commission believes and so finds that a waiver of the notice and hearing requirement is in the public interest in the instant matter.

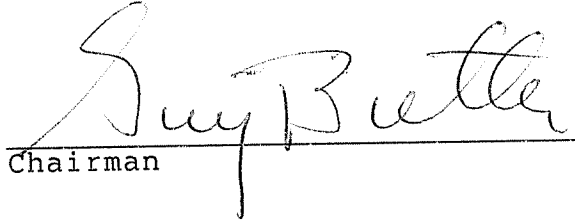
IT IS THEREFORE ORDERED THAT:

1. The requests of Midlands to extend its service area to include the three parcels of property located on U.S. Highway 1 in Lexington County, South Carolina [herein described as the parcel of property located on the Northwest corner U. S. Highway 1 and Oak Drive on which a Blockbuster Video store is located, the parcel of property located at 4439 Augusta Road (U.S. Highway 1) on which a Kentucky Fried Chicken Restaurant is located, and the parcel of property on the South side of U.S. Highway 1 near I-26 in Lexington County on which a new Lowe's Home Center is to be located (also referred to as the Judy property)] are approved.

2. The schedule of rates and charges previously approved for Midlands by Order No. 92-84 dated February 28, 1992, in Docket No. 90-528-S and by Order No. 92-244, dated April 10, 1992, in Docket No. 91-568-S is approved for the service area approved herein, effective for service rendered on or after the date of this Order.

3. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)